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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER  
WARDROP, ANDREW SCHASCHL, and  
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (RCC) (DFE)

**DECLARATION OF JOHN  
SIMPSON IN SUPPORT OF  
DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

I, John Simpson, declare:

1. I am a former employee of Wyeth Pharmaceuticals, a Division of Wyeth ("Wyeth"), and, until June 2006, when I retired from Wyeth, I worked at Wyeth's Pearl River, New York facility. I make this declaration based on my own personal knowledge.

2. In January 2004, while I was employed by Wyeth as a Director, Bioprocess Development, I sought to hire an individual for a Staff Engineer I position at Wyeth's Pearl River facility. This vacant position was announced through Wyeth's job posting system.

3. The job responsibilities for this position included scaling up purification processes for the production of clinical and commercial immunoconjugates and natural products.

In hiring for this position, I was seeking an individual who had a Ph.D. in chemical engineering or an individual who had a B.S. or M.S. Degree in chemical engineering and substantial relevant experience, including experience in bioprocess downstream operations.

4. A number of individuals, including Howard Henry, applied for this position. I selected Beelin Cheang for the position because I felt she was the most qualified for the position. Unlike Mr. Henry who only had a B.S. in Chemical Engineering and who did not have heavy bioprocess development experience, Ms. Cheang had a Ph.D. in Chemical Engineering. Ms. Cheang ultimately rejected the offer of employment in or about June 2004. Thereafter, I decided to hire James Patch, who also was more qualified than Mr. Henry because he had a Ph.D. in Chemical and Biological Engineering. Mr. Patch accepted the offer of employment in December 2004.

5. At the time I made the decision to hire Ms. Cheang and, later, Mr. Patch, I had no knowledge, or reason to believe, that Mr. Henry had ever made any complaint of racial discrimination. I do not believe that Mr. Henry applied for any other Staff Engineer I position in my area of responsibility. Mr. Henry's race played no role in my hiring decision.

Executed on October 10, 2006 at Upper Nyack, New York.

I declare under penalty of perjury that the foregoing is true and correct.

  
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John Simpson